

Message

From: Fairbanks, Brianna [Fairbanks.Brianna@epa.gov]
Sent: 9/21/2018 5:53:54 PM
To: LEE, LILY [LEE.LILY@EPA.GOV]
CC: Stralka, Daniel [Stralka.Daniel@epa.gov]; Chesnutt, John [Chesnutt.John@epa.gov]; Karla Brasaemle (kbrasaemle@techlawinc.com) [kbrasaemle@techlawinc.com]
Subject: RE: Due today - 1 new comment on Hunters Pt 5 Yr Review re action levels (Tier 1,2) for soil

No comments.

Brianna Fairbanks

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From: LEE, LILY
Sent: Friday, September 21, 2018 10:52 AM
To: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Cc: Stralka, Daniel <Stralka.Daniel@epa.gov>; Chesnutt, John <Chesnutt.John@epa.gov>; Karla Brasaemle (kbrasaemle@techlawinc.com) <kbrasaemle@techlawinc.com>
Subject: Due today - 1 new comment on Hunters Pt 5 Yr Review re action levels (Tier 1,2) for soil

Please give legal review this draft new comment. Everyone else, please review too and give comments back to the whole group or at least to Brianna and Lily. I discussed verbally with Karla and left voicemail w/Dan. (Karla, I added PQAL)

Section 6.2.2, Changes in Toxicity and Other Contaminant Characteristics: The Records of Decisions (RODs) or Explanations for Significant Differences (ESDs) for some parcels define Tier 1 and/or Tier 2 soil action levels for chemicals for specific circumstances. For example, the Parcel E ROD, the Parcel C ESD, and the Parcel G ESD define Tier 1 and/or Tier 2 action levels that are five times or ten times the Remedial Goals (RGs). The RGs were based on the chemical specific risk-based concentration (RBC), laboratory practical quantitation limit (PQAL), or the Hunters Point ambient level (HPAL). While it does not make sense for the RGs and action levels to be lower than the HPAL or PQAL, if Tier 1 or Tier 2 levels end up in the new review mathematically exceeding five times or ten times the RBCs, this is a situation that warrants further discussion. Where RGs were based on a PQAL or HPAL, and not an RBC, the FYR should evaluate the Tier 1 and Tier 2 levels to see if they exceed five times or ten times the RBC. If so, then please put issue on the agenda for a monthly meeting of the Base Closure Team for discussion with regulatory agencies.

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